



Agenda Date: 2/11/10

Agenda Item: III L

STATE OF NEW JERSEY

Board of Public Utilities

Two Gateway Center

Newark, NJ 07102

www.nj.gov/bpu/

CABLE TELEVISION

IN THE MATTER OF CABLEVISION SYSTEMS)	ORDER
CORPORATION REQUEST FOR WAIVER, AS WITHIN)	
TIME, OF THE 30-DAY NOTICE PERIOD FOR FILING)	
OF AN ALTERATION IN CHANNEL ALLOCATION)	
PURSUANT TO <u>N.J.A.C. 14:18-3.17</u> (A) AND (B))	DOCKET NO. CO09100819

Adam E. Falk, Vice President of Government and Regulatory Affairs, for Cablevision Systems Corporation

BY THE BOARD:

By letter dated September 23, 2009, and filed with the Board of Public Utilities ("Board"), Cablevision Systems Corporation ("Cablevision") requested a Board waiver, as within time, of the 30-day notice requirement for the filing of a notice of an alteration in channel allocation in its Raritan Valley cable television system pursuant to N.J.A.C. 14:18-3.17 (a) and (b).

On August 14, 2009, Cablevision initially filed a notice of channel alteration with the Office of Cable Television ("OCTV") announcing the relocation of certain public, educational and government access programming in Old Bridge Township, New Jersey.

On August 17, 2009, after receiving notice, the Township of Old Bridge ("Township"), which operates two access channels – Channel 14 ("Government Access") and Channel 15 ("Educational Access") in the Township, contacted Cablevision and proposed that instead of relocating the Government Access channel from Channel 14 to Channel 118 as initially proposed, the Township asked Cablevision to revise its plan by moving government access from Channel 14 to Channel 15, and in doing so, moving educational access from Channel 15 to Channel 118.

Cablevision informed the OCTV on September 8, 2009 of the Township's request, and that it was contemplating requesting a waiver of the 30 day notice requirement because the channel relocations of the Government Access and Educational Access channels would be implemented on September 17, 2009, as initially requested. Cablevision also advised the OCTV that it notified the School District administration of the Township about the channel changes and that they did not raise any concerns.

After considering the Township's request, Cablevision complied and moved the government access programming from channel 14 to channel 15 and also moved the educational access programming from channel 15 to channel 118, effective September 17, 2009.

Cablevision seeks a waiver pursuant to N.J.A.C. 14:18-3.17(c) (4) of the Board's 30 day notice requirement with respect to the relocation of the government access programming from Channel 14 to Channel 15, and the educational access programming from Channel 15 to Channel 118.

Cablevision states that subscribers were notified of the channel changes via on screen notices on September 17, 2009.

N.J.A.C. 14:18-3.17 (a) and (b) require each cable company to provide the OCTV, subscribers and municipalities with 30 day notice prior to any channel deletions, and advance notice of any channel additions, prior to the effective date of the channel change.

N.J.A.C. 14:18-3.17 (c) (4) provides for the relaxation of the time for providing notification upon a showing by the cable television operator that it has acted to provide the required notice at the earliest possible date and that the addition of a programming service results in a substantial benefit that would have been irretrievably lost to customers.

Having reviewed this matter, the Board HEREBY FINDS that the waiver is appropriate under the present circumstances and Cablevision has notified the Board, subscribers and the affected municipalities of the channel changes at the earliest date possible. Therefore, the Board HEREBY APPROVES, as within time, Petitioner's request for a waiver of the alteration in channel allocation filing requirements as permitted under N.J.A.C. 14:18-3.17(c) (4).

DATED: 2/11/10

BOARD OF PUBLIC UTILITIES
BY:



ELIZABETH RANDALL
ACTING PRESIDENT



FREDERICK F. BUTLER
COMMISSIONER



JOSEPH L. FIORDALISO
COMMISSIONER



JEANNE M. FOX
COMMISSIONER



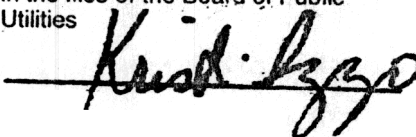
NICHOLAS ASSELTA
COMMISSIONER

ATTEST:



KRISTI IZZO
SECRETARY

I HEREBY CERTIFY that the within
document is a true copy of the original
in the files of the Board of Public
Utilities



SERVICE LIST

IN THE MATTER OF CABLEVISION SYSTEMS CORPORATION REQUEST FOR WAIVER,
AS WITHIN TIME, OF THE 30-DAY NOTICE PERIOD FOR FILING OF AN ALTERATION IN
CHANNEL ALLOCATION PURSUANT TO N.J.A.C. 14:18-3.17 (A) AND (B)

DOCKET NO. CO09100819

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